

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

CAPITOL AGGREGATES, INC., a Texas  
Corporation.

*Plaintiff,*

v.

IPEC, INC., a Delaware Corporation,

*Defendant.*

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CIVIL ACTION NO. 5:23-cv-00719-JKP

**JOINT ADVISORY REPORT TO COURT**

Pursuant to the Court's May 8, 2025 Order, *see* Dkt. No. 37, the parties jointly file this advisory report.

1. The parties have agreed to continue mediation efforts and will be utilizing their chosen private mediator. The parties do not need to utilize the services of the Magistrate.

2. Based on the Court's availability, the parties have conferred and have agreed on a June 2026 trial date.

Dated this 16<sup>th</sup> day of May, 2025.

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\*signed with express permission

**CERTIFICATE OF SERVICE**

I hereby certify that on this 16<sup>th</sup> day of May, 2025, a true and correct copy of the foregoing  
JOINT ADVISORY REPORT TO COURT was served on the following counsel of record in  
accordance with the Federal Rules of Civil Procedure:

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/s/ Harry Z. Rippeon III  
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